

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richter, et al.
Filed.: Filed Concurrently Herewith
Title of Invention: IMPLANT INCLUDING A BODY OF NON-
RESORBABLE BIOACTIVE MATERIAL

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

Before the issuance of the first Office Action, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please replace the paragraph beginning at page 1, line 23, with the following rewritten paragraph:

--The hydroxyapatite of the body is in crystalline form, and is thus substantially non-resorbable in use. The tricalcium phosphate is also in crystalline form, and may be in either the α or the β form, both of which are resorbable in use. However, the β form is preferred.--

IN THE CLAIMS:

Please cancel claims 25 and 26.

Please amend claims 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 21 and 23 as follows:


5. An implant according to Claim 2, wherein the size of the zones is from 10 to 300 microns.
6. An implant according to Claim 2, wherein the proportion of hydroxyapatite to tricalcium phosphate in the implant is from 4:1 to 2:3, on a mass basis.
7. An implant according to Claim 2, wherein macropores are provided in the body.
10. An implant according to Claim 8, wherein at least a majority of the macropores are of substantially the same size, and wherein the macropores occupy from 20% to 800 of the total volume of the body.
11. An implant according to Claim 7, wherein the macropores are randomly interspersed throughout the body, so that the body has a network of interconnected coalesced rounded inner macroporous spaces.
12. An implant according to Claim 8, wherein the body is provided with surface concavities.
13. An implant according to Claim 12, wherein the surface concavities are rounded, having diameters of from 100 to 2000 microns.

14. An implant according to Claim 12, wherein the surface concavities are hemispherical and are interconnected with the macropores by being coalesced therewith.
15. An implant according to Claim 2, wherein micropores are provided in the body, with the micropores being randomly interspersed throughout the body.
17. An implant according to Claim 15, wherein the micropores occupy 60% or less of the total volume of the body, excluding the volume occupied by the macropores.
21. A method according to Claim 19, wherein the fugitive phase particles are present and are spherical stearic acid particles having a size range of 500 to 1000 microns.
23. A method according to Claim 21, wherein the green compacts are heated to about 500°C, to allow melting and decomposition of the stearic acid, thereby forming, in the green compacts or bodies, interconnected macropores produced by the decomposition of the stearic acid particles.

REMARKS

The specification has been amended to eliminate an inaccuracy. Claims 25 and 26 have been canceled. Claims 1-24 remain in the application. Claims 5, 6, 7, 10, 11, 12, 14, 15, 17, 21 and 23 have been amended to eliminate multiple dependencies and Claim 13 has been amended to eliminate an improper limitation. Attached hereto is a marked up version of the changes made

Respectfully submitted,

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